

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of :)
Peter Stougaard et al.) Group Art Unit: 1652
Application No.: 09/824,053) Examiner: W. Moore
Filed: April 3, 2001)

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For: RECOMBINANT HEXOSE OXIDASE: A METHOD OF PRODUCING SAME AND
USE OF SUCH ENZYME

TERMINAL DISCLAIMER TO OBVIATE
AN OBVIOUSNESS-TYPE DOUBLE PATENTING REJECTION

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

I am a representative authorized to sign on behalf of the assignee. My name, title and address are set forth below. I have reviewed the aforementioned assignment document and certify that to the best of my knowledge and belief, title to the above-identified patent application is assigned to BIOTEKNOLOGISK INSTITUT in its entirety.

On behalf of the assignee, I hereby disclaim, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified patent application, which would extend beyond the expiration date of the full statutory term of U.S. Patent No. 6,251,626 (the "'626 patent'"), and hereby agree that any patent so granted on this patent application shall be enforceable only for and during such period that the legal title to the patent granted on this patent application shall be the same as the legal title to the '626 patent and they are commonly owned. This agreement is to run with any patent granted on this patent application and to be binding upon any grantor, its successors or assigns.

Assignee, however, does not disclaim any terminal part of any patent granted on this patent application that would extend to the expiration date of the full statutory term of the '626 patent in the event that the '626 patent later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321(a), has all claims canceled by a reexamination certificate, is reissued, or is otherwise terminated prior to expiration of its full statutory term, except for the separation of legal title stated above.

A check for \$110.00 is enclosed to cover the fee for the filing of this terminal disclaimer. Please charge any deficiencies or credit any overpayment to our Deposit Account No. 50-0206.

Respectfully submitted,

HUNTON & WILLIAMS

Dated:

June 16, 2003

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